South Carolina Department of Public Safety, State Transport Police

22,2,2,5=2 2009-365T



US DOT# 1942485

Legal: BILL R BURCH

Operating (DBA): CAROLINA EASY RIDE

MC/MX #: 692033

Review Type: Safety Audit

Federal Tax ID:

Location of Review/Audit: Company of the U.S.

Scope: Entire Operation

Carrier:

Territory:

Operation Types

Interstate Intrastate

Non-HM

N/A

Corporation Business:

Shipper: N/A N/A Gross Revenue:

\$1000

for year ending:

12/31/2009

Cargo Tank:

N/A

Company Physical Address:

2657 SALUDA DAM RD

EASLEY, SC 29640 Contact Name:

Bill R Burch Phone numbers: (1) 8643062754

(2) 8645462681

Fax 8643062754

E-Mail Address:bill@carolinaeasyride.com

Company Mailing Address:

2657 SALUDA DAM RD EASLEY, SC 29640

Report Summary

Report	# of Pages
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Total Pages	13

Disclaimer: By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit, however they have been discussed in detail with me.

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carrier at

> South Carolina State Transport Police, Motor Carrier Compliance Unit 10311 Wilson Blvd, Building D-2, Post Office Box 1993, Blythewood, SC 290 Phone: (803) 896-2696 Fax: (803) 896-5526

> > This SAFETY AUDIT will be used to assess your safety compliance.

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Name: Bill R Burch

Title: Owner

Reported By:

Date: 2/18/2010

Received By:

Title:

Dwner

South Carolina Department of Public Safety, State Transport Police



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MC/MX #: 692033

3 **State #**:

Federal Tax ID

Review Type: Safety Audit

Location of Review/Audit: Company Facility in the U.S.

Scope: Entire Operation Territory:

Operation Types Interstate Intrastate

Carrier: Nor Shipper: N

Non-HM N/A N/A N/A

N/A

Business: Corporation

Gross Revenue:

\$1000

for year ending: 12/31/2009

Company Physical Address:

2657 SALUDA DAM RD EASLEY, SC 29640

Cargo Tank:

Contact Name: Bill R Burch

Phone numbers: (1) 8643062754

(2) 8645462681

Fax 8643062754

E-Mail Address: bill@carolinaeasyride com

Company Mailing Address:

2657 SALUDA DAM RD EASLEY, SC 29640

Carrier Classification

Authorized for Hire

Cargo Classification

Passengers

Does carrier transport placardable quantities of HM? No

Is an HM Permit required?

No

Driver Information

Inter Intra
< 100 Miles: 0 0
>= 100 Miles: 2 0

Average trip leased drivers/month: 0

Total Drivers: 2 CDL Drivers: 2

Equipment

Owned Term Leased Trip Leased

1 0 0

Owned Term Leased Trip Leased

Minibus 16+

Power units used in the U.S.:

1

Percentage of time used in the U.S.:

100



BILL R BURCH (CAROLINA EASY RIDE dba)

US DOT #: 1942485

Review Date: 2/18/2010

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carrier at:

South Carolina State Transport Police, Motor Carrier Compliance Unit 10311 Wilson Blvd, Building D-2, Post Office Box 1993, Blythewood, SC 29016 Phone (803) 896-2696 Fax. (803) 896-5526

This SAFETY AUDIT will be used to assess your safety compliance.

Person(s) Interviewed:

Name: Bill R Burch

Title: Owner





BILL R BURCH (CAROLINA EASY RIDE ${\it dba}$)

US DOT #. 1942485

Review Date: 2/18/2010

Part B - Questions and Answers

An asterisk (*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.

Question General # 1 Section # 387.7(a) Acute	Answer
Does the carrier have the required minimum level of financial responsibility in effect (property carrier)?	N/A
<u>Comments</u>	
Question General # 2 Section # 387.7(d) Critical	Answer
Does the carrier have required proof of financial responsibility (property carrier)?	N/A
Comments	
Question General # 3 Section # 387.31(a) Acute	Answer
Does the carrier have the required minimum level of financial responsibility in effect (passenger carrier)?	Yes
Comments	
Question General # 4 Section # 387 31(d) Critical	Answer
Does the carrier have required proof of financial responsibility (passenger carrier)?	Yes
Comments	
Question General # 5 Section # 13901 (392.9a(a)(1))	Answer
Is the motor carrier authorized to conduct interstate operations in the United States?	Yes
Comments	
Question General # 6 Section # 390 15(b)(1)	Answer
Can the carrier provide a complete accident register of recordable accidents?	N/A
Comments	
Question General # 7 Section # 390 15(b)(2) Critical	Answer
Does the carrier have copies of all accident reports required by States or other government entities or insurers?	N/A
Comments	
Question General # 8 Section # 390 3(e)	Answer
Is the carrier knowledgeable of the FMCSRs/HMRs?	Yes
Comments	
Question General # 9 Section # 390.21	Answer
Does the carrier know the commercial motor vehicles marking requirements?	Yes
Comments	
Question Driver # 1 Section # 391.51(a) Critical	Answer
Does the carrier maintain complete driver qualification files?	No ¹
Comments	
Carrier missing previous employment inquiry data (safety performance history) in DQ file. Robert Okonewki trip Easley SC to Port Canaveral FL 2/10/2010-2/14/2010	



Question Driver # 2 Section # 391.11(b)(4) Acute	Answer
Is the carrier using physically qualified drivers?	Yes
	, 00
Comments	
Question Driver # 3 Section # 391.45(a), 391.45(b) Critical	Answer
Does available evidence indicate the motor carrier has used a driver without a medical certificate or with an expired medical certificate?	No
expired medical certificate?	
Comments	
Question Driver # 4 Section # 391.15(a) Acute	A = 0
Is the carrier using any disqualified drivers?	<u>Answer</u> No
	INO
Comments	
Question Driver # 5 Section # 391 51(b)(2) Critical	Answer
Does the carrier maintain driving inquiry data in driver qualification files?	Yes
Comments	
Currier Diver # 6 Continue # 600 and a second secon	
Question Driver # 6 Section # 382 115(a), 382 115(b) Acute	Answer
Has the carrier implemented an alcohol and/or controlled substances testing program?	Yes
Comments	
Question Driver # 7 Section # 382.213(b) Acute	
Has the carrier used drivers who have used controlled substances?	Answer
and the time have disca controlled substances?	No
Comments	
Question Driver # 8 Section # 382.215 Acute	Answer
Has the carrier used a driver who has tested positive for a controlled substance?	No
Comments	
Question Driver # 9 Section # 382.201 Acute	Answer
Has the carrier used a driver known to have an alcohol concentration of 0.04 or greater?	No
Comments	
Currents Ougstion Driver # 40 Continue # 200 Formula	
Question Driver # 10 Section # 382.505(a) Acute Has the carrier used a driver found to have a reliable to the carrier used a driver found to have a reliable to the carrier used a driver found to have a reliable to the carrier used and the carrier used a driver found to have a reliable to the carrier used and the carrier used to the carrier use	Answer
Has the carrier used a driver found to have an alcohol concentration of .02 or greater but less than .04 within 24 hours of being tested?	No
Comments	
Question Driver # 11 Section # 382.301(a) Critical	Answer
Has the carrier ensured that drivers have undergone testing for controlled substances prior to performing a safety	Yes
sensitive function?	
Comments	
Question Driver # 12 Section # 382.303(a) Critical	Anouse
Has the carrier conducted post accident testing on drivers for alcohol?	<u>Answer</u> N/A
5 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	IN/A
Comments	



Question Driver # 13 Section # 382.303(b) Critical	Answer
Has the carrier conducted post accident testing on drivers for controlled substances?	N/A
Comments Country Manager 1990 2005 Avenue	A = 0.440 =
Question Driver # 14 Section # 382 305 Acute	Answer Yes
Has the carrier implemented random testing program?	163
Comments	
Question Driver # 15 Section # 382 305(b)(1) Critical	Answer
Has the carrier conducted random alcohol testing at an annual rate of not less than the applicable annual rate or	N/A
prorated rate of the average number of driver positions?	
Comments	
Question Driver # 16 Section # 382 305(b)(2) Critical	Answer
Has the carrier conducted controlled substance testing at the applicable prorated rate of not less than the	N/A
applicable annual rate of the average number of driver positions?	
Comments Operation Driver # 17 Section # 40 205(a)	Annuar
Question Driver # 17 Section # 40.305(a) Has the carrier conducted the required return-to-duty tests on employees returning to safety-sensitive functions?	Answer N/A
That the Commer conducted the required return to duty tests on employees returning to safety-sensitive functions:	110/13
Comments	
Question Driver # 18 Section # 40.309(a)	Answer
Is the carrier conducting follow-up testing as directed by the Substance Abuse Professional?	N/A
Comments	
Question Driver # 19 Section # 382.211 Acute	Answer
Has the carrier used a driver who has refused to submit to an alcohol or controlled substances test required under Part 382?	N/A
Comments	
Question Driver # 20 Section # 382.503 Critical	Answer
Has the carrier used a Substance Abuse Professional as required by 49 CFR Part 40 Subpart O?	N/A
<u>Question</u> Driver # 21 Section # 383.23(a) Critical	Anguar
Has a driver operated a commercial motor vehicle without a current operating license, or a license, which hasn't	<u>Answer</u> No
been properly classed and endorsed?	110
Comments	
Question Driver # 22 Section # 383.37(a) Acute	Answer
Has the motor carrier knowingly allowed it's drivers who's CDLs have been suspended, revoked or canceled by a state, have lost the right to operate a CMV in a State, or have been disqualified from operating a CMV to operate	No
a commercial motor vehicle?	
Comments Ougstion Driver # 23 Section # 383 51(a) Acute	A m ==
Question Driver # 23 Section # 383.51(a) Acute Has the motor carrier knowingly allowed, required, permitted, or authorized a driver to drive who is disqualified to	<u>Answer</u> No
drive a commercial motor vehicle?	140
Comments	



Question Operations # 1 Section # 395.1(e)(1), 395.1(e)(2)	Answer
Does the carrier have a system for recording hours of duty status on 100/150- mile radius drivers, and are they properly utilizing the 100/150 air-mile radius exemption?	N/A
Comments	
Question Operations # 2 Section # 395 8(a) Critical	Answer
Does the carrier require drivers to make a record of duty status?	Yes
Comments	
Question Operations # 3 Section # 395.8(i) Critical	Answer
Does the carrier require drivers to submit records of duty status within 13 days?	Yes
Comments	
Question Operations # 4 Section # 395 8(k)(1) Critical	Angwar
Can the carrier produce records of duty status and supporting documents for selected drivers?	<u>Answer</u> Yes
the same process to solve the same and supporting documents for selected diverse	103
Comments	
Question Operations # 5 Section # 395 3(a)(1) Critical	Answer
Has the carrier allowed driver(s) to exceed the 11-hour rule? (Property)	N/A
Comments	
Question Operations # 6 Section # 395 3(a)(2) Critical	Answer
Has the carrier allowed driver(s) to exceed the 14-hour rule? (Property)	N/A
Comments	
Question Operations # 7 Section # 395.3(b)(1) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days?	N/A
(Property)	, ,,,
Comments	
Question Operations # 8 Section # 395.3(b)(2) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Property)	N/A
Comments	
Question Operations # 9 Section # 395 5(a)(1) Critical	Answer
Has the carrier allowed driver(s) to exceed the 10 hour rule? (Passenger)	No
Comments	
Question Operations # 10 Section # 395.5(a)(2) Critical	Answer
Has the carrier allowed driver(s) to exceed the 15 hour rule? (Passenger)	No
, , , , , , , , , , , , , , , , , , , ,	
Comments	
Question Operations # 11 Section # 395 5(b)(1) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days?	No
(Passenger)	
Comments	
t	



Question Operations # 12 Section # 395.5(b)(2) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Passenger)	N/A
Comments	
Question Operations # 13 Section # 395.8(e) Critical	Answer
Does available evidence indicate a selected driver has prepared a false record of duty status?	No
Comments	
Question Operations # 14 Section # 392 2 Critical	Answer
Does the motor carrier ensure that drivers operate commercial motor vehicles in accordance with the laws, ordinances, and regulations of the jurisdictions in which they are operating?	Yes
Comments	
Question Operations # 15 Section # 392.9(a)(1) Critical	Answer
Does the carrier ensure that drivers are not permitted to drive a vehicle without the cargo properly distributed and adequately secured?	N/A
Comments	
Question Operations # 16 Section # 392.4(b) Acute	Answer
Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, narcotic drugs, amphetamines, or any other substances capable of rendering the drivers incapable of safely operating motor vehicles?	No
<u>Comments</u> <u>Question</u> Operations # 17 Section # 392.5(b)(1) Acute	11000
Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of,	Answer
intoxicating beverages?	No
Comments	
Question Operations # 18 Section # 392.5(b)(2) Acute	Answer
Have any drivers operated a commercial motor vehicle within 4 hours of having consumed intoxicating beverages?	No
Comments	
Question Maintenance # 1 Section # 396 3(b) Critical	Answer
Can the carrier produce maintenance files for requested vehicle(s)?	Yes
Comments	
Question Maintenance # 2 Section # 396.17(a) Critical	Answer
Can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles?	Yes
Comments	
Question Maintenance # 3 Section # 396.11(a) Critical	Answer
Does the motor carrier require drivers to complete vehicle inspection reports daily?	N/A
Comments	



Question Maintenance # 4 Section # 396.11(c) Acute	Answer
Does the carrier ensure that out-of-service defects listed by the driver in the driver vehicle inspection reports are corrected before the vehicle is operated again?	N/A
Comments	
Question Maintenance # 5 Section # 396.9(c)(2) Acute	Answer
Does the carrier ensure vehicles that have been declared "out-of-service" do not operate before repairs have	N/A
been made?	14//3
Comments	
Question Maintenance # 6 Section # 396.19	Answer
Is the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications?	Yes
Comments	ı
Question Maintenance # 7 Section # 396.3	Answer
Can the carrier explain its systematic, periodic maintenance program?	Yes
Comments	
Question Other # 1 Section # 375 211	Answer
Does the carrier participate in an Arbitration Program?	N/A
Comments	
Question Other # 2 Section # 13702	Answer
Does the carrier assess shipper freight charges based upon published tariffs?	N/A
Comments	
Question Other # 3 Section # 375.401(c)	Answer
Does the carrier provide reasonably accurate estimates of moving charges?	N/A
Comments	
Question Other # 4 Section # 375.407(a), 375.703(b)	Answer
Has the carrier avoided "hostage freight" or other predatory practices?	N/A
Comments	
Question Other # 5 Section # 387 301(a), 387.301(b)	<u>Answer</u>
Does the HHG carrier have sufficient levels of public liability and cargo insurance?	N/A
Comments Oversion Other # 0.75.045	
Question Other # 6 Section # 375 215	Answer
Does the carrier have a published tariff and is the motor carrier changing the applicable rate (375.215)	N/A
Comments Question Other # 7 Section # 375 213	A
	Answer
Can the motor carrier identify the five documents required to be given to a prospective individual shipper prior to executing an order for service?	N/A
Comments	



Question Other # 8 Section #	Answer
Does the carrier have any formal agreements with any other motor carrier operations?	No
Comments	
Question Other # 9 Section #	Answer
During your review of the carriers paperwork did any of the documents display a business name or DBA name that did not match the carrier being audited?	No
Comments	
Question Other # 10 Section #	Answer
Has the carrier or corporate officers for the carrier ever been affiliated or had any relationship with any former or current carrier regulated by the FMCSA?	No
Comments	
Question Other # 11 Section #	Answer
Is the company using the same phone number, e-mail address, vehicles, location, or any other assets of any former or current FMCSA regulated entity?	No
Comments	
Question Other # 12 Section #	Answer
Is the company using documentation from another carrier other than one being audited to demonstrate compliance with the regulations?	No
Comments	
Question Other # 13 Section #	Answer
Did any of the documents reviewed or information provided by the carrier during the audit lead the investigator to believe the carrier is the continued operations of another motor carrier?	No
Comments	
Question Other # 14 Section # 37 subpart H	Answer
Does the carrier have the means to provide accessible over-the-road bus (ORTB) service on a 48-hour advance notice basis by its owned or leased OTRBs?	N/A
Comments	
Question Other # 15 Section # 37 subpart H	Answer
If the carrier does not have the means then does the carrier have an arrangement with another carrier that operates accessible OTRBs?	N/A
Comments	

Note: No Hazardous Materials questions were asked because the carrier does not carry Hazardous Materials in Interstate Commerce.



Review Date: 2/18/2010

Part B

Your Proposed Safety Audit Result is: PASS

Explanation of Scoring Methodology

Factor	Failed Questions		Performance	Total	Factor
	Critical	Acute	Test Status	Points	Status
1 General	0	0	_	О	PASS
2. Driver	1	0	_	1	PASS
3. Operations	0	0	_	0	PASS
4. Maintenance	0	0	PASS - 0.00 %	0	PASS
5. Hazardous Materials			-	<u></u>	-
6. Accidents		Witness Co.	PASS - 0.00		PASS
SUM	1	0		1	PASS

Result: Carrier has adequate basic safety management controls in place.

NOTE: Carrier has the right to request a review of this determination if there are factual or procedural disputes.

HOW THE SAIS SCORED

FACTORS - The Federal Motor Carrier Safety and Federal Hazardous Material Regulations are categorized into six factors. Multiple questions address the various factors. The Part B Question & Answer Report lists the CFR section numbers related to each question.

CRITICAL/ACUTE - Questions are also defined as CRITICAL, ACUTE or neither depending on the significance of the underlying regulation. Questions are assigned a point value if they are incorrectly answered. Critical = 1 and Acute = 1.5. The point values are summed for each factor. Any factor with a point value of 3 or more is marked "FAILED".

OUT OF SERVICE (OOS) RATE - The Driver/Vehicle OOS rate is used in factor #4 as another question. If there have been more than three level 1, 2, or 5 North American Standard Inspections conducted over the past year, they will be summarized. If the summed OOS rate is over 34%, one additional point is assigned to that factor.

CRASH FACTOR - Carriers are defined as urban or non-urban in order to compensate for the higher crash risk of urban operations. Urban carriers are defined as those that operate within a 100 air-mile radius. The crash rate for a carrier is calculated as accidents per million miles traveled. Factor #6 is "FAILED" if the urban carrier crash rate exceeds 1.7 or the non-urban carrier crash rate exceeds 1.5

OVERALL STATUS DETERMINATION - Any carrier with 3 or more "FAILED" factors is deemed to have failed the Safety Audit by having inadequate safety management controls in place to operate in the U.S.



Review Date: 2/18/2010

Part B Requirements and/or Recommendations

- 1. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
- Maintain all required controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training etc., as required by 49 CFR Parts 40 and 382 of the FMCSR.
- 3. Ensure that drivers provide a 10-year employment history on their employment application.
- 4. Laboratory must transmit aggregate statistical summary on semi-annual basis
- 5. Ensure that a trained breath alcohol technician, using the prescribed testing forms, conducts each alcohol test.
- 6. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
- 7. Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
- 8. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
- 9. Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported.
- 10. Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.
- 11. A complete Educational and Technical Assistance package entitled "A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: www.fmcsa.dot.gov/factsfigs/eta/index.html.
- For questions about DOT numbers or biennial updates: 800-832-5660 or 703-280-4001
 For questions about licensing, authority or MC numbers: 202-366-9805
 For questions about insurance: 202-385-2423
 For household goods complaints: 888-DOT-SAFT (888-368-7238)
- 13. Check Status or pay fee at; WWW.UCR.IN.GOV
- 14. Questions regarding this report or the Federal Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:
 South Carolina State Transport Police, Motor Carrier Compliance Unit
 Building D-2, Post Office Box 1993, Blythewood SC 29016
 Phone: (803) 896-2696 Fa(803)896-5526



15. Each driver's qualification file shall be retained for as long as a driver is employed by that motor carrier and for three years thereafter. The following records may be removed from a driver's qualification file three years after the date of execution: The motor vehicle record received from each State driver licensing agency to the annual driver record inquiry required by Section 391.25(a); The note relating to the annual review of the driver's driving record as required by Section 391.25(c)(2); The list or certificate relating to violations of motor vehicle laws and ordinances required by §391.27;The medical examiner's certificate required by Section 391.43(g), a legible copy of the certificate, or for CDL drivers any CDLIS MVR obtained as required by Section 391.51(b)(7)(ii); and Any medical variance issued by FMCSA, including a Skill Performance Evaluation Certificate issued in accordance with Section 391.49; or the Medical Exemption letter issued by a Federal medical program in accordance with part 381 of this chapter.

Each employer shall maintain records of its alcohol misuse and controlled substances use prevention programs as provided in Section 382.401. The records shall be maintained in a secure location with controlled access. The following records shall be maintained for a minimum of five years: Records of driver alcohol test results indicating an alcohol concentration of 0.02 or greater, Records of driver verified positive controlled substances test results. Documentation of refusals to take required alcohol and/or controlled substances tests, Driver evaluation and referrals, Records related to the administration of the alcohol and controlled substances testing programs, and a copy of each annual calendar year summary required by Section 382.403 and all other records required by Section 382.401.

The original or a copy of the Periodic (annual) inspection report shall be retained by the motor carrier or other entity who is responsible for the inspection for a period of fourteen months from the date of the inspection report. The original or a copy of the inspection report shall be retained where the vehicle is either housed or maintained. See Section 396.21.

Inspection, repair and maintenance files shall be retained where the vehicle is either housed or maintained for a period of 1 year and for 6 months after the motor vehicle leaves the motor carries control.

